

Welcome to Kansas Department of Labor. My name is Dawnelle and I will be walking you through the Employer Notice and the Employer's Separation statement.

This paperwork is mailed out anytime a valid claim for Unemployment Benefits is filed by a previous or current employee.

If you do not wish to PROTEST the Unemployment claim and do not wish to provide any separation information, then simply check the type of separation, enter the **Last Day Worked and separation date**, and sign and date the Employer Notice form. It is important that you do not write any additional information on this form.

Next, mark the box on the **Employer's Separation Statement** the light yellow paper (K-Ben 3109) that states I do not wish to protest this claim or provide any separation information. Sign and date the certification, and mail or fax both forms. KDOL will not contact you to provide any additional information in regards to this Unemployment claim.

Your complete, accurate response must be postmarked or faxed within 10 calendar days after the date mailed, which appears on the front side of the Employer Notice. Otherwise, a determination will be made based on available information. Failure to timely submit this information shall bar you from protesting any subsequent decision made regarding your claim.

Follow these guidelines to help identify the reason for separation and fill out the corresponding section on the Employer's Separation Statement. If you do not wish to protest the claim, follow the guidelines previously discussed. For each option, you must note the last day worked, separation date and sign and date both forms:

If the claimant was laid off due to **Lack of work**, for example business closing, bankruptcy, weather related or temporary layoff, then check the box marked Lack of Work. If the lack of work was due to the business closing in Kansas, bankruptcy, or a WARN notice; you must also check that corresponding box. On the

Separation Statement, you may check the do not protest box or you can provide additional information in the space provided on one of the two forms.

If the claimant was separated due to a Discharge: Check the box that says DISCHARGED. Then fill out information on the Employer's Separation statement under Discharged. Provide specific details in regards to the "final incident" that led to the discharge. The details appear on the front and back of the separation form. Please note that the burden of proof on a Discharge is up to the employer to prove misconduct.

If the claimant separation was due to them Voluntarily Quitting: Check the Voluntarily Quit box. Then fill out information on the Employer's Separation statement under QUIT. Please provide specific details in regards to the separation and reason given by the claimant for quitting.

If the claimant is on a Leave of Absence: Check the box designated *Other* on the Employer Notice. Then fill out the information on the Employer's Separation Statement under Leave of Absence. Include a copy of the claimant's written request for a leave of absence and any other supporting documentation, including the company's policy regarding leave of absence.

If you are a Temporary agency: Check the box designated *Other* on the Employer Notice. Then fill out information on the Employer's Separation statement under Temporary Agency. Please provide specific details in regards to their assignments.

Remember to provide the Last day worked and separation date on the Employer Notice, and sign and date both forms. You may choose not to protest the claim; instructions for this are given at the beginning of this video.

You will receive a Reminder Notice in the mail a few days after the Employer Notice and Employer's Separation Statement. This is just a reminder that the information needs to be postmarked or faxed within 10 calendar days.

The signature on all forms should be the person that KDOL will contact should they need to request additional information.

If your response is mailed or faxed beyond the time limit, you must include any explanation for the delay. Your late response will be considered only if you can establish excusable neglect.

For questions about the Employer Notice and the Employer's Separation Statement call toll-free 800-292-6333. Again that number is 800-292-6333. You may also visit www.KansasEmployer.gov.